REMARKS

In the above-mentioned Office action, all of the pending claims, claims 1-7, were rejected. Claims 1-4 and 5-7 were rejected under Section 102(e) over reference A, a 3GPP document, Document No. TS25.331b3.16.10 (2003-9). And, claim 5 was further rejected under Section 103(a) over the combination of reference A and *Laitinen*.

In response to the rejection of the claims, independent claim 1 has been amended, as set forth herein, in manners believed better to distinguish the invention of the present invention over the cited reference used thereagainst.

Support for the amendments to claim 1 are found in the, e.g., Figure 4, and its corresponding description on page 8, lines 4-21 (paragraph 28).

As now-amended, claim 1 recites a method for handling system information including determination of whether the same system information block information element is included in a system information block of type 11 and system information block of type 12, and, when the same system information block information element relating to a cell information list is included in both the system information block of type 11 and the system information block of type 12, applying the system information associated with the system information block information element in the system information block of type 11 before applying the system information associated with the system information block information element in the system information block of type 12.

Review of reference A, the 3GPP document, indicates there not to be any disclosure of determination of whether the same system information block information element is included in both the system information block type 11 and type 12.

Specific note is made of lines 49 and 50 of section 8.1.1.6.11, relied upon by the Examiner for showing a system information block of type 12. However, these lines merely state that, "if in connected mode, and system information block type 12 is indicated and used in the cell: read and act on information sent in system information block type 12 as indicated in subclause 8.1.1.6.12." There is no disclosure on these lines, or elsewhere, of a comparison between the information of a block of type 11 with that of a block of type 12 and, therefore, no

5

operation, as now recited, of determination of whether the same information block information element is included in both the system information block of type 11 and of type 12.

Furthermore, reference A fails to disclose an instruction to apply system information associated with a block of type 11 before that of a block of type 12 in the event of determination that the same system information block element is included in both block types.

Specific note is made of section 10.3.7.44 and 10.3.7.45, relied upon by the Examiner for showing the operation of applying. Review of these sections indicates that these sections refer merely to "in the order" of the value of a measurement quantity and do not refer to a block of type 11 or a block of type 12. Similarly, section 8.1.1.6, also relied upon by the Examiner for showing the operation of applying, fails to make reference to blocks of type 11 and 12. And, section 8.5.23, also relied upon by the Examiner for showing the operation of applying, merely states that a system information block type 11 is given as an alternative to the system information block 12. No provision regarding determination of whether the same system information block is included in both block types is made, let alone of instruction to apply information associated with a block of type 11 or a block of type 12.

For these reasons, therefore, independent claim 1, as now amended, is patentably distinguishable over the disclosure of reference A.

Also from review of reference A, it is not clear which information elements of the system information blocks 11 and 12 are to be used for updating and in which order they are to be handled. The uncertainty arises from contradictory statements set forth in section 8.6.7.3 and Table 8.1.1.

That is to say, the text set forth in Table 8.1.1 of reference A states, "if some of the optional IEs (information elements) are not included in the system information block 12, the UE shall read the corresponding IEs in system information block type 11." That is, it is the IE from the SIB (system information block) 12 that is used in preference to one in SIB 11. However, section 8.6.7.3, which describes how certain stored lists are to be up-dated, is written in such a way as to suggest that the IEs "interfrequency cell info lists", and inter-RAT cell info lists are to be used from both SIB 11 and SIB 12.

The disclosure of reference A also is silent pertaining to the order upon which the IEs should be applied. This is important for the reason that IEs not only contain a list of cells that are to be added, but also a list of cells that are to be deleted. As the SIB 12 is the "preferred" SIB, one skilled in the art looking at reference A would consider it normal behavior for the UE to apply SIB 12 first, and then SIB 11. Application in a different order by different UEs could lead to interoperability issues. The present invention, as recited in amended claim 1, addresses this problem by specifying the determination of whether the same system information block information element is included in both SIB 11 and SIB 12, and then instructing the application of information associated with SIB 11 prior to that of SIB 12. This removes any ambiguity from the disclosure of reference A in a counterintuitive way. Starting from the disclosure of reference A, one skilled in the art would consider the invention of amended claim 1, given that SIB 12 is the preferred SIB, and thus would be expected to apply the SIB 12 first and thereafter the SIB 11.

Reference A also fails to provide direction as to which information associated with these blocks is applied first, and the reference also fails to suggest the necessity of specifying in order.

Independent claims 6 and 7 recite analogous methodology and are believed to be distinguishable over reference A for the same reasons, just-noted, with respect to amended claim 1. These claims are also, therefore, believed to recite patentable subject matter.
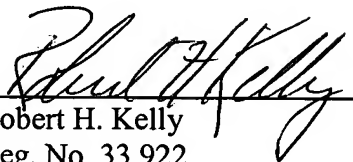
As the dependent claims include all the limitations of their respective parent claims, these claims are also believed to be distinguishable over the cited reference for the same reasons as those given with respect to claim 1.

Accordingly, in light of the foregoing, independent claims 1, 6, and 7, as now-presented, and dependent claims 2-5, are believed to be in condition for allowance. Reexamination and reconsideration for allowance of these claims is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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